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1			Application Number	10/697,828		
TRANSMITTAL			Filing Date	October 29, 2003		
	FORM		First Named Inventor	ROSEN, STEVEN D.		
	. •		Group Art Unit	1652		
	(to be used for all correspondence after ini	tial filing)	Examiner Name	MONSHIPOURI, MARYAM		
	Total Number of Pages in This Submissi	on	Attomey Docket Number	UCAL-138DIV		
	·	ENCLOSUR	RES_(check all that apply)			
	Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Documents Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Close Change Request Request Request Change Request Request Request Change Request Request	on to Convert to a cional Application of Attorney, Revocation of Correspondence	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): 1) Petition to Commissioner (1 pg.) 2) Copy of Response as filed on 06/01/05 (6 pgs.) 3) Copy of Stamped Return Postcard (1 pg.) 4) Copy of Stamped Express Mail Receipt (1 pg.) 5) Copy of Tracking Number Information (1 pg.) 6) Return Postcard		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
(Reg. No	Signing Attorney/Agent (Reg. No.) PAULA A. BORDEN, 42,344 BOZICEVIC, FISH D & FRANCIS, DEP Signature					
Date	July 6, 2005					

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS

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Atty Dkt. No.: UCAL-138 DIV

USSN: 10/697,828

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PETITION TO THE COMMISSIONER UNDER 37 C.F.R. § 1.181

Address to: Mail Stop: Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Attorney Docket	UCAL-138 DIV S.D. Rosen		
First Named Inventor			
Application Number	10/697,828		
Filing Date	October 29, 2003		
Group Art Unit	1652		
Examiner Name	M. Monshipouri		
Title: "Novel glycosyl	sulfotransferases GST-4 alpha		

itle: "Novel glycosyl sulfotransferases GST-4 alpha, GST-4 beta, & GST-6"

Sir:

This petition is submitted to the Commissioner of Patents and Trademarks under 37 C.F.R. § 1.181(a). This Petition is being filed in response to the Notice of Abandonment dated June 7, 2005.

Applicant hereby petitions for withdrawal of the holding of abandonment in the present application.

The Patent Office incorrectly indicated that the application was abandoned for failure to respond to the Office Action mailed December 1, 2004. This is in error.

An Office Action issued on December 1, 2004 in this application. The December 1, 2004 Office Action set a one-month period of time for response, making a response due on or before January 1, 2005. A response was filed on June 1, 2005, along with a petition and fee for a five-month extension of time. Accordingly, the response was timely filed. As provided for under 37 C.F.R.§1.10(e), the following are provided herewith: 1) a copy of the response as filed, showing Express Mail No. EV577671933 US; 2) a copy of the Express Mail Certification, certifying that the response was deposited with the United States Postal Service (USPS) on June 1, 2005; 3) a copy of the tracking information, which provides evidence that the items, including the response filed in connection with this patent application, which were delivered under Express Mail No. EV577671933 US, were accepted by the USPS on June 1, 2005, and were delivered to the U.S. Patent and Trademark Office on June 3, 2005; 4) a copy of the stamped Express Mail receipt; and 5) a copy of the stamped Return Postcard from the U.S. Patent and Trademark Office.

While no fee is believed due, the Commissioner is hereby authorized to charge any fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number UCAL-138 DIV.

Respectfully submitted,

Date: July 6, 2005

Paula A. Borden Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP 1900 University Avenue, Suite 200 East Palo Alto, California 94303

Telephone: (650) 327-3400 Facsimile: (650) 327-3231

DATE: June 1, 2005

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Date of Deposit: 06/01/2005 I hereby certify that the below-listed papers or fees were inserted into a package addressed to: Commissioner for Patents, PO BOX 1450, Alexandria, Virginia 22313-1450 and such package was deposited by me with the United States Postal Service "Express Mail Post Office Addressee" service under 37 C.F.R. § 1.10 on the date indicated above.

Signature

Atty. Docket Serial No. Number		Description	Atty.	Fee
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UCAL-138DIV	10/697,828	Transmittal, Petition for a 5 Month Extension of Time, Form 2038, Restriction Election	PAB	\$2,160
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Atty/Sec: PAB/CKH

Atty Docket No. UCAL-138DIV Date Mailed: June 1, 2005 Application No.: 10/697,828 Filing Date: October 29, 2003

Inventor(s): ROSEN, STEVEN D.

Title: "NOVEL GLYCOSYL SULFOTRANSFERASES GST-4 ALPHA, GST-4BETA, & GST-6"

Enclosure(s):

- Transmittal (1 pg.)
- Petition for Extension of Time (1 pg.)
- PTO Form-2038 (1 pg.)
- Response to Restriction Requirement (3 pgs.)
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Atty/Sec: PAB/CKH

Atty Docket No. UCAL-138DIV Date Mailed: June 1, 2005 Application No.: 10/697,828 Filing Date: October 29, 2003

Inventor(s): ROSEN, STEVEN D.

Title: "NOVEL GLYCOSYL SULFOTRANSFERASES GST-4 ALPHA, GST-4BETA, & GST-6"

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			Examiner Name	MONSHIPOURI, MARYAM		
	Total Number of Pages in This Submiss	ina	Attorney Docket Number	UCAL-13		
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	Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Documents Response to Missing Parts/ Incomplete Application	(for an Drawir Drawir Licens Petitio Petitio Provisi Power Chang Addres Termir Reque	n to Convert to a ional Application of Attorney, Revocation of Correspondence	1) 2) 3)	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): Form PTO-2038 (1 pg.) Response to Restriction Requirement (3 pgs.) Return Postcard	
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Date

June 1, 2005

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TION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) Docket Number (Optional) FY 2005 **UCAL-138DIV** (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).) Application Number: 10/697,828 Filed: October 29, 2003 "NOVEL GLYCOSYL SULFOTRANSFERASES GST-4 ALPHA, GST-4BETA, & GST-6" For: Art Unit: 1652 Examiner: MONSHIPOURI, MARYAM This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): Small Entity Fee <u>Fee</u> One month (37 CFR 1.17(a)(1)) \$120 \$60 ☐ Two months (37 CFR 1.17(a)(2)) \$450 \$225 ☐ Three months (37 CFR 1.17(a)(3)) \$1020 \$510 Four months (37 CFR 1.17(a)(4)) \$1590 \$795 Five months (37 CFR 1.17(a)(5)) \$2160 \$1080 \$2160.00 Applicant claims small entity status. See 37 CFR 1.27. A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account. The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account Number 50-0815. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I am the applicant/inventor assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). □ attorney or agent of record. Registration Number 42,344 attorney or agent under 37 CFR 1.34. Registration number if acting wider 37 CFR 1.34 June 1, 2005 Signature Paula A. Borden (650) 327-3400 Typed or Printed Name Telephone Number NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below. \bowtie Total of _ ___ forms are submitted.



Express Mail No. EV577671933US

RESPONSE TO RESTRICTION	Docket No. Confirmation No. Application No.	UCAL-138 DIV 9294 10/697,828	
REQUIREMENT	Filing Date	October 29, 2003	
Address to: Mail Stop	Examiner	M. Monshipouri	
Commissioner for Patents	Group Art Unit	1652	
P.O. Box 1450 Alexandria, VA 22313-1450	Title	Novel glycosyl sulfotransferases GST-4 alpha, GST-4 beta, & GST-6	

Sir:

This communication is submitted in response to the Office Action mailed December 1, 2004. The Restriction Requirement set forth a one-month time period for response, making a response due on or before January 1, 2005. A Petition for a five-Month Extension of Time is submitted herewith, making this amendment due on or before June 1, 2005. Accordingly, this response is timely filed.

I. REMARKS

The Office Action set forth a Restriction Requirement, and an Election of Species Requirement.

Restriction Requirement

In the Restriction Requirement, the Examiner required election of one of the following groups of claims:

Group 1:	Claims 1-4; glycos	yl sulfotransferase po	olypeptides and f	ragments;
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Group II: Claims 5-12; nucleic acids encoding the glycosyl sulfotransferases, expression cassettes, cells, and methods of expressing the nucleic acids;

Group III: Claims 13-15; antibodies that specifically bind the glycosyl sulfotransferases;

Group IV: Claims 16-22; method of inhibiting a binding event between a selectin and a selectin ligand;

Group V: Claims 23 and 24; method of modulating a symptom in a mammal having a condition related to a selectin mediated binding event;

Atty Dkt. No.: UCAL-138 DIV

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Group VI: Claims 25-27; method of diagnosing a disease comprising determining the

amount of glycosyl sulfotransferase polypeptide or nucleic acid; and

Group VII: Claim 29; non-human transgenic animal comprising a gent encoding the

glycosyl sulfotransferases.

Applicants hereby elect to prosecute the claims of Group I, claims 1-4, with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine the entire application on the merits, even though the entire application includes claims to independent or distinct inventions. It is the Applicants' position that it would not be unduly burdensome to perform a search on all of the claims together in the present application. Accordingly, Applicants traverse the restriction requirement.

Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

Species Election

The Office Action stated that claims 1-29 are generic to a plurality of disclosed patentably distinct species comprising GST-4α, GST-4β, and GST-6.

Applicants elect GST- 4α . Of the elected claim group, claims 1-4 are readable on this species.

Atty Dkt. No.: UCAL-138 DIV

USSN: 10/697,828

II. CONCLUSION

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number UCAL-138 DIV.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: June 1, 2005

By:

Paula A. Borden Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP 1900 University Avenue, Suite 200 East Palo Alto, California 94303 Telephone: (650) 327-3400

Facsimile: (650) 327-3231

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